NOTICE OF HEARING
APPLICATION FOR LARGE SCALE MINE PERMIT
WHARF RESOURCES (USA) INC.

Notice is hereby given that the South Dakota Department of Agriculture and Natural Resources has received a large scale mine permit application from Wharf Resources (USA) Inc. (Wharf), 10928 Wharf Road, Lead, South Dakota 57754, for its proposed Boston Expansion Project. Wharf's resident agent is CT Corporation System, 319 South Coteau Street, Pierre, South Dakota 57501. The primary minerals to be mined are gold and silver. The legal location is:

Portions of Sections 2 and 3, T4N-R2E, Lawrence County
General Location: Approximately 4 miles west of Lead, South Dakota

The proposed expansion involves mining to the south of Wharf's existing open pit gold mining operation. The mine permit will allow Wharf to expand its existing operation by 48.2 acres. Of these, 40.6 acres are located outside of the current mine permit boundary, and 7.6 acres are to be included as new permitted affected acreage within the current mine permit boundary. Topsoil will be stripped and stockpiled for use during concurrent and final reclamation. Waste rock will be used to backfill mine pits. Ore will be processed through cyanide heap leach methods before being treated and offloaded to an approved area at the mine. The proposed expansion will extend the total life of the mine to 2030. Reclamation will be conducted concurrently with the mining operation. The proposed post-mining land use is woodland grazing.

The South Dakota Board of Minerals and Environment (board) has jurisdiction and legal authority to issue large scale mine permits pursuant to SDCL Ch. 45-6B. Pursuant to SDCL Ch. 1-26, the board will hold a contested case hearing on the matter of Wharf's Boston Expansion permit application on May 18 and 19, 2023, beginning at 10:00 am CDT on May 18 in the Matthew Training Center, 523 East Capital Avenue, Pierre, South Dakota.

The Board's action will be either to approve, conditionally approve, or disapprove the permit application. This hearing is an adversary proceeding. Any person who has become a party to the proceeding by filing a petition in accordance with ARSD 74:29:01:09 or 74:29:01:18, has the right to be present and to be represented by a lawyer. Individuals may represent themselves at the hearing; organizations must be represented by a lawyer. These and other due process rights will be forfeited if not exercised at the hearing. The board's decision may be appealed to the circuit court and the State Supreme Court as provided by law.

If the amount of the controversy exceeds two thousand five hundred dollars or if a property right may be terminated, any party to the contested case may require the agency to use the Office of Hearing Examiners by giving notice of the request to the agency no later than ten days after service of a notice of hearing pursuant to SDCL 1-26-17.

Notice is given to individuals with disabilities that this hearing is being held in a physically accessible location. Individuals requiring assistive technology or other services in order to participate in the hearing or materials in an alternative format should contact Brian Walsh, Nondiscrimination Coordinator, by calling (605) 773-5559 or by email at Brian.Walsh@state.sd.us as soon as possible but no later than two business days prior to the hearing to ensure accommodations are available.

Persons desiring further information may contact Roberta Hudson, Minerals, Mining, and Superfund Program, at (605) 773-4201.

Hunter Roberts
Secretary
Department of Agriculture and Natural Resources

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